

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55825 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- PASRAHA District- Khagaria

RAHUL KUMAR son of Late Bhola Singh Village- Piparpanti Ps- Pasraha
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302, 307/34 and 120B of the Indian Penal Code and Section 27(3) of the Arms Act pending in the learned court below.

3. There is allegation against the petitioner that he has fired upon the son of the informant and police has recovered four cartridges from the place of the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner has no hand in the commission of murder. He submits that petitioner is only a member of the unlawful assembly. He further submits that informant is not an eye witness of the occurrence. He further



submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Pasraha P.S. Case No. 66/2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering this fact that petitioner has got no criminal antecedent.

(Anjani Kumar Sharan, J)

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